

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SKANSKA USA BUILDING, INC.

Plaintiff,

v.

THE HARTFORD ROOFING COMPANY,
INC. and ST. PAUL FIRE & MARINE
INSURANCE COMPANY, INC. d/b/a
ST. PAUL SURETY

Defendants.

CIVIL ACTION NO. 04-12538-DPW

**JOINT MOTION TO RESCHEDULE THE
SCHEDULING CONFERENCE AND RELATED DEADLINES**

The Plaintiff, Skanska USA Building, Inc. ("Skanska"), and the Defendant, St. Paul Fire & Marine Insurance Company, Inc. ("St. Paul"), by and through their undersigned counsel, jointly file this motion to reschedule the Scheduling Conference and related deadlines as a result of ongoing settlement negotiations between Skanska and St. Paul. In support of this Joint Motion, the parties state as follows:

1. On December 27, 2004, the Court entered a Notice of Scheduling Conference, Order for Joint Statement and Certifications, and Order for Electronic Filing, thereby arranging a Scheduling Conference to be held on February 10, 2005 at 2:30 p.m.
2. Due to ongoing settlement negotiations between Skanska and St. Paul, each party respectfully requests that the Scheduling Conference be rescheduled for

at least forty-five (45) days to allow the parties to fully exhaust all settlement possibilities.

3. Further, Skanska and St. Paul respectfully request that the deadlines imposed by Order for Joint Statement and Certifications be extended in accordance with the request to reschedule the Scheduling Conference.

4. Hartford Roofing Company, Inc., a named defendant in this action, has not joined the motion since it has not made an appearance in the case to date.

WHEREFORE, the Plaintiff, Skanska USA Building, Inc., and the Defendant, St. Paul Fire & Marine Insurance Co., Inc., jointly and respectfully request that the Court enter a new Scheduling Order and Order for Joint Statement and Certification in accordance with the request made in paragraphs 2 and 4 herein, and for such other and further relief the Court deems necessary and proper.

Respectfully submitted,

PLAINTIFF, SKANSKA USA
BUILDING, INC.

By its attorneys,
HOLLAND & KNIGHT LLP

DEFENDANT, ST. PAUL FIRE &
MARINE INSURANCE, INC. d/b/a
ST. PAUL SURETY

By its attorneys,
CETRULO & CAPONE

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Dated: January 12, 2005

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